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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,754	12/14/2001	Yevgeniy Eugene Shteyn	US018202	2525

7590 04/29/2005

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EXAMINER

ZHOU, TING

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 04/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/022,754

Applicant(s)

SHTEYN, YEVGENIY EUGENE

Examiner

Ting Zhou

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,6 and 7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,6 and 7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. The amendment filed on 5 April 2005 have been received and entered. The applicant has cancelled claims 3 and 5. Claims 1-2, 4 and 6-7 as amended are pending in the application.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 4 and 6-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Grover et al. U.S. Patent 5,818,437.

Referring to claims 1 and 7, Grover et al. teach a device and software application comprising an ambiguous first data input system configured to associate a first user input with a plurality of potential data (the set of nine data keys representing a plurality of letters and symbols yielding a plurality of matches for the entered keystroke) (column 1, lines 46-55, column 3, lines 66-67, column 4, lines 34-40 and Figure 1), a second data input system independent from the first data input system receiving a second user input (receiving user input via moving the cursor or highlight bar between the list of potential data with the “select key”, which is a system level input key that is different from the set of data keys) (column 1, lines 55-58, column 4, lines 6-9 and 40-43), and a processing unit coupled to the first and second input systems for selecting one of the plurality of potential data from the second user input (the user selects one of the plurality

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of potential data using the “select” key 104 shown in Figure 1 and the processing unit of the portable computer subsequently inserts and displays the selected word in display area 101) (column 1, lines 55-58, column 4, lines 43-45 and Figure 2), wherein the first data input system comprises a real or virtual keyboard configured to associate a specific keystroke with a plurality of graphical characters (keypad with nine data keys, each associated with a plurality of letters and symbols) (column 1, lines 46-47, column 3, lines 66-67 and column 4, lines 34-37), and the second data input system is a speech recognition input system, a handwriting input system, or a stylus input system (the user can select the desired word from the word selection list using the keystroke input of the “select key” 104 on the touch-sensitive display; however, the keystroke input, i.e. the second data input system, can also be made with any pointing device such as a mouse or light pen) (column 1, lines 55-58, column 4, lines 43-45, column 9, lines 19-25 and Figure 1).

Referring to claim 2, Grover et al. teach a display coupled to the processing unit and configured to display the selected potential data (display 602 shown in Figure 2) (column 3, lines 58-63).

Referring to claim 4, Grover et al. teach the first data input system comprises a touch-sensitive screen (column 3, lines 58-63 and Figure 2).

Referring to claim 6, Grover et al. teach the processing unit further determines the selected data based on a dictionary database internally or remotely accessed (the processor processes the keystroke sequence with a dictionary) (column 1, lines 51-55).

Response to Arguments

3. Applicant's amendments to the specification has overcome the objection to the disclosure made in the previous office action dated 13 January 2005.

4. Applicant's arguments filed 5 April 2005 have been fully considered but they are not persuasive:

5. Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. The applicant alleges that Grover does not teach or suggest that the first data input system comprises a real or virtual keyboard configured to associate a specific keystroke with a plurality of graphical characters, and the second data input system is a speech recognition input system, a handwriting input system, or a stylus input system. The examiner respectfully disagrees. Grover teaches a first data input system of a virtual keyboard, i.e. a virtual keypad with nine data keys, configured to associate a specific keystroke with a plurality of graphical characters, i.e. each of the nine data keys on the virtual keypad is associated with a plurality of letters and symbols, as recited in column 1, lines 46-47, column 3, lines 66-67 and column 4, lines 34-37; this is further shown in Figure 1. In addition, Grover also teaches a second data input system, i.e. system level keys used to move the cursor or highlight bar between the list of potential data yielded from the first data input system of an entered keystroke via selection of the data keys on the keypad, as recited in column 3, line 66 – column 4, lines 9; the list of potential data can also be selected with other

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input devices such as a light pen, which is a stylus input system, as recited in column 9, lines 18-25.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Conclusion

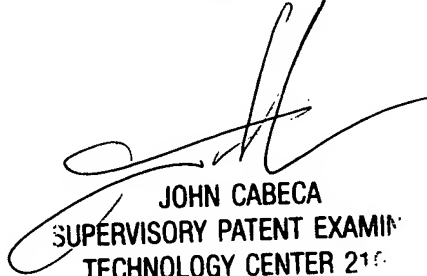
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (571) 272-4058. The examiner can normally be reached on Monday - Friday 7:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached at (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-4058.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TZ



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